


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

GEORGIA SOUTHWESTERN)	
RAILROAD, INC., a Corporation,)	
)	
<i>Plaintiff,</i>)	
)	
vs.)	CASE NO. 2:06cv3-B
)	
AMERICUS C. MITCHELL, JR.,)	
an Individual,)	
)	
<i>Defendant.</i>)	

AMENDED ANSWER

NOW COMES AMERICUS C. MITCHELL, JR., the defendant herein, by and through his attorneys, and amends his answer pursuant to FRCP 15(a) as follows:

1. That the Georgia Southwestern Railroad, Inc. is not the real party in interest to prosecute this action as required by Rule 17(a) of the *Federal Rules of Civil Procedure*.



DAVID E. ALLRED
D. CRAIG ALLRED
Attorneys for Above-Named Defendant

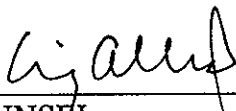
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CERTIFICATE OF SERVICE

I hereby certify that I have this 13th day of September, 2006 filed the foregoing *Amended Answer* with the Clerk of the Court for the United States District Court for the Middle District of Alabama, Northern Division, using the CM/ECF system, which will send notification of such filing to:

Adrian D. Johnson, Esq.
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OF COUNSEL